

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1           Page 39, delete lines 3 through 42, begin a new paragraph and insert:  
2           "SECTION 56. IC 6-1.1-12-18 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) If the  
4           assessed value of residential real property described in subsection (d)  
5           is increased because ~~it~~ **the property** has been rehabilitated, the owner  
6           may have deducted from the assessed value of the property an amount  
7           not to exceed the lesser of:  
8               (1) the total increase in assessed value resulting from the  
9               rehabilitation; or  
10              (2) eighteen thousand seven hundred twenty dollars (\$18,720) per  
11              rehabilitated dwelling unit.  
12           The owner is entitled to this deduction annually for a five (5) year  
13           period.  
14           (b) For purposes of this section, the term "rehabilitation" means  
15           ~~significant~~ repairs, replacements, **remodelings, additions, or other**  
16           improvements to an existing structure ~~which are intended to that~~  
17           increase the ~~livability, utility, safety, or~~ value of the property. ~~under~~  
18           ~~rules adopted by the department of local government finance.~~  
19           (c) For the purposes of this section, the term "owner" or "property  
20           owner" includes any person who has the legal obligation, or has  
21           otherwise assumed the obligation, to pay the real property taxes on the  
22           rehabilitated property.  
23           (d) The deduction provided by this section applies only for the  
24           rehabilitation of residential real property which is located within this

state and which is described in one (1) of the following classifications:

(1) a single family dwelling if before rehabilitation the assessed value (excluding any exemptions or deductions) of the improvements does not exceed thirty-seven thousand four hundred forty dollars (\$37,440);

(2) a two (2) family dwelling if before rehabilitation the assessed value (excluding exemptions or deductions) of the improvements does not exceed forty-nine thousand nine hundred twenty dollars (\$49,920); and

(3) a dwelling with more than two (2) family units if before rehabilitation the assessed value (excluding any exemptions or deductions) of the improvements does not exceed eighteen thousand seven hundred twenty dollars (\$18,720) per dwelling unit.

**(e) If an assessed value increase referred to in subsection (a) is attributable to both rehabilitation and:**

**(1) a general reassessment of real property under IC 6-1.1-4-4; or**

**(2) an annual adjustment of the assessed value of real property under IC 6-1.1-4-4.5;**

**the township assessor shall determine the amount of the increase attributable to rehabilitation to determine the deduction provided by this section. In making the determination under this subsection, the township assessor shall consider any information contained in the application under section 20(e) of this chapter.**

SECTION 57. IC 6-1.1-12-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. **(a) Except as provided in subsection (b), the deduction from assessed value provided by section 18 of this chapter is first available in the year in which the increase in assessed value resulting from the rehabilitation occurs and ~~shall continue~~ continues for each of the immediately following four (4) years in the sixth (6th) year; the county auditor shall add the amount of the deduction to the assessed value of the real property, which the property owner remains the owner of the property as of the assessment date.**

**(b) Subject to subsection (c), a property owner may:**

**(1) in a year after the year referred to in subsection (a) in which a deduction is first available, obtain a deduction that:**

**(A) would otherwise first apply for the assessment date in 2006 or a later year; and**

**(B) was not made to the assessed value for any year; or**

**(2) obtain a deduction that:**

**(A) would otherwise have first applied for the assessment date in 2005 or an earlier year; and**

**(B) was not made to the assessed value for any year.**

**If the property owner obtains a deduction under this subsection, the deduction applies in the year for which the application is filed**

1 **and continues for each of the immediately following four (4) years**  
 2 **in which the property owner remains the owner of the property as**  
 3 **of the assessment date.**

4 **(c) Subsection (b) applies in a county only if the county fiscal**  
 5 **body adopts an ordinance to authorize the application of subsection**  
 6 **(b) in the county.**

7 **(d)** A general reassessment of real property which occurs within the  
 8 five (5) year period of the deduction does not affect the amount of the  
 9 deduction.

10 SECTION 58. IC 6-1.1-12-20 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) A property  
 12 owner who desires to obtain the deduction provided by section 18 of  
 13 this chapter must file a certified deduction application, on forms  
 14 prescribed by the department of local government finance, with the  
 15 auditor of the county in which the rehabilitated property is located. The  
 16 application may be filed in person or by mail. If mailed, the mailing  
 17 must be postmarked on or before the last day for filing. Except as  
 18 provided in subsection (b) **or (c)**, the application must be filed before  
 19 May 10 of the year in which the addition to assessed value is made.

20 (b) If notice of the addition to assessed value for any year is not  
 21 given to the property owner before April 10 of that year, the application  
 22 required by ~~this section~~ **subsection (a)** may be filed not later than thirty  
 23 (30) days after the date ~~such a~~ **the** notice is mailed to the property  
 24 owner at the address shown on the records of the ~~township~~ assessor.

25 **(c) An application for a deduction referred to in section 19(b) of**  
 26 **this chapter with respect to an assessment date must be filed before**  
 27 **the May 10 that next follows the assessment date.**

28 ~~(c)~~ **(d)** The application required by this section shall contain the  
 29 following information:

- 30 (1) A description of the property for which a deduction is claimed
- 31 in sufficient detail to afford identification.
- 32 (2) Statements of the ownership of the property.
- 33 (3) The assessed value of the improvements on the property before
- 34 rehabilitation.
- 35 (4) The number of dwelling units on the property.
- 36 (5) The number of dwelling units rehabilitated.
- 37 (6) The increase in assessed value resulting from the
- 38 rehabilitation. ~~and~~
- 39 (7) The amount of deduction claimed.

40 **(e) The application required by this section may contain**  
 41 **information to assist the township assessor in making the**  
 42 **determination under section 18(e) of this chapter, including:**

- 43 **(1) fair market value appraisals before and after the**
- 44 **rehabilitation; and**
- 45 **(2) general market data on the extent to which particular**
- 46 **types of rehabilitation add to the value of a dwelling.**

47 ~~(d)~~ **(f)** A deduction application filed under this section is applicable

1 for:

2 (1) the year in for which the increase in assessed value occurs  
3 **deduction application is filed; and for**

4 **(2) each of the immediately following four (4) years in which the**  
5 **property owner remains the owner of the property as of the**  
6 **assessment date;**

7 without any additional application being filed.

8 ~~(e)~~ (g) On verification of an application by the assessor ~~of who~~  
9 **serves the township area** in which the property is located, the county  
10 auditor shall make the deduction.

11 SECTION 59. IC 6-1.1-12-22 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) If the  
13 assessed value of property is increased because ~~it~~ **the property** has  
14 been rehabilitated and the owner has paid at least ten thousand dollars  
15 (\$10,000) for the rehabilitation, the owner is entitled to have deducted  
16 from the assessed value of the property an amount equal to fifty percent  
17 (50%) of the increase in assessed value resulting from the rehabilitation.  
18 The owner is entitled to this deduction annually for a five (5) year  
19 period. However, the maximum deduction which a property owner may  
20 receive under this section for a particular year is:

21 (1) one hundred twenty-four thousand eight hundred dollars  
22 (\$124,800) for a single family dwelling unit; or

23 (2) three hundred thousand dollars (\$300,000) for any other type  
24 of property.

25 (b) For purposes of this section, the term "property" means a  
26 building or structure which was erected at least fifty (50) years before  
27 the date of application for the deduction provided by this section. The  
28 term "property" does not include land.

29 (c) For purposes of this section, the term "rehabilitation" means  
30 ~~significant~~ repairs, replacements, **remodelings, additions, or other**  
31 improvements to an existing structure that ~~are intended to~~ increase the  
32 livability, utility, safety, or value of the property. ~~under rules adopted~~  
33 ~~by the department of local government finance.~~

34 **(d) If an assessed value increase referred to in subsection (a) is**  
35 **attributable to both rehabilitation and:**

36 **(1) a general reassessment of real property under IC 6-1.1-4-4;**  
37 **or**

38 **(2) an annual adjustment of the assessed value of real**  
39 **property under IC 6-1.1-4-4.5;**

40 **the township assessor shall determine the amount of the increase**  
41 **attributable to rehabilitation to determine the deduction provided**  
42 **by this section. In making the determination under this subsection,**  
43 **the township assessor shall consider any information contained in**  
44 **the application under section 24(e) of this chapter.**

45 SECTION 60. IC 6-1.1-12-23 IS AMENDED TO READ AS  
46 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 23. **(a) Except as**  
47 **provided in subsection (b),** the deduction from assessed value

provided by section 22 of this chapter is first available ~~after the first~~  
assessment date ~~following in the year in which the increase in~~  
~~assessed value resulting from the rehabilitation occurs and shall~~  
~~continue continues~~ for the taxes first due and payable in each of the  
immediately following ~~five (5)~~ **four (4)** years in the sixth (6th) year,  
the county auditor shall add the amount of the deduction to the assessed  
value of the property: ~~which the property owner remains the owner~~  
~~of the property as of the assessment date.~~

(b) Subject to subsection (c), a property owner may:

(1) in a year after the year referred to in subsection (a) in  
which a deduction is first available, obtain a deduction that:

(A) would otherwise first apply for the assessment date in  
2006 or a later year; and

(B) was not made to the assessed value for any year; or

(2) obtain a deduction that:

(A) would otherwise have first applied for the assessment  
date in 2005 or an earlier year; and

(B) was not made to the assessed value for any year.

If the property owner obtains a deduction under this subsection,  
the deduction applies in the year for which the application is filed  
and continues for each of the immediately following four (4) years  
in which the property owner remains the owner of the property as  
of the assessment date.

(c) Subsection (b) applies in a county only if the county fiscal  
body adopts an ordinance to authorize the application of subsection  
(b) in the county.

(d) Any general reassessment of real property which occurs within  
the five (5) year period of the deduction does not affect the amount of  
the deduction.

SECTION 61. IC 6-1.1-12-24 IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 24. (a) A property  
owner who desires to obtain the deduction provided by section 22 of  
this chapter must file a certified deduction application, on forms  
prescribed by the department of local government finance, with the  
auditor of the county in which the property is located. The application  
may be filed in person or by mail. If mailed, the mailing must be  
postmarked on or before the last day for filing. Except as provided in  
subsection (b) ~~or (c)~~, the application must be filed before May 10 of the  
year in which the addition to assessed ~~valuation value~~ is made.

(b) If notice of the addition to assessed ~~valuation value~~ for any year  
is not given to the property owner before April 10 of that year, the  
application required by ~~this section~~ **subsection (a)** may be filed not  
later than thirty (30) days after the date such a notice is mailed to the  
property owner at the address shown on the records of the ~~township~~  
assessor.

(c) **An application for a deduction referred to in section 23(b) of  
this chapter with respect to an assessment date must be filed before**

the May 10 that next follows the assessment date.

~~(c)~~ (d) The application required by this section shall contain the following information:

- (1) The name of the property owner.
- (2) A description of the property for which a deduction is claimed in sufficient detail to afford identification.
- (3) The assessed value of the improvements on the property before rehabilitation.
- (4) The increase in the assessed value of improvements resulting from the rehabilitation. ~~and~~
- (5) The amount of deduction claimed.

(e) The application required by this section may contain information to assist the township assessor in making the determination under section 22(d) of this chapter, including:

- (1) fair market value appraisals before and after the rehabilitation; and
- (2) general market data on the extent to which particular types of rehabilitation add to the value of property.

~~(d)~~ (f) A deduction application filed under this section is applicable for:

- (1) the year in for which the addition to assessed value is made deduction application is filed; and in
- (2) each of the immediate immediately following four (4) years in which the property owner remains the property owner as of the assessment date;

without any additional application being filed.

~~(e)~~ (g) On verification of the correctness of an application by the assessor of who serves the township area in which the property is located, the county auditor shall make the deduction.

SECTION 62. IC 6-1.1-12-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 25. For repairs or improvements made to a particular building or structure, a person may receive: either

- (1) the deduction provided by section 18 of this chapter; or
- (2) the deduction provided by section 22 of this chapter; ~~He or~~
- (3) the credit provided by IC 6-1.1-47.

The person may not receive deductions a tax benefit under both sections more than one (1) of those statutes for the repairs or improvements."

Page 40, delete lines 1 through 26.

Page 54, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 69. IC 6-1.1-12.1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. (a) A property owner may not receive a deduction under this chapter for repairs or improvements to real property if ~~he~~ the owner receives:

- (1) a deduction under ~~either~~ IC 6-1.1-12-18 or IC 6-1.1-12-22; or
- (2) a credit under IC 6-1.1-47;

1 for those same repairs or improvements.

2 (b) A property owner may not receive a deduction under this chapter  
3 if the property owner receives a deduction under IC 6-1.1-12-28.5 for  
4 the same property."

5 Page 129, between lines 6 and 7, begin a new paragraph and insert:  
6 "SECTION 132. IC 6-1.1-42-22 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 22. (a) The designating  
8 body shall determine whether to approve a deduction.

9 (b) A designating body may not grant a deduction for a facility  
10 described in IC 6-1.1-12.1-3(e).

11 (c) A property owner may not receive a deduction under this chapter  
12 for repairs or improvements to real property if the owner receives:

13 (1) a deduction under ~~either~~ IC 6-1.1-12.1, IC 6-1.1-12-18,  
14 IC 6-1.1-12-22, or IC 6-1.1-12-28.5; or

15 (2) a credit under IC 6-1.1-47;

16 for the same property.

17 (d) A designating body may approve a deduction only if the  
18 following findings are made in the affirmative:

19 (1) The applicant:

20 (A) has never had an ownership interest in an entity that  
21 contributed; and

22 (B) has not contributed;

23 a contaminant (as defined in IC 13-11-2-42) that is the subject of  
24 the voluntary remediation, as determined under the written  
25 standards adopted by the department of environmental  
26 management.

27 (2) The proposed improvement or property will be located in a  
28 zone.

29 (3) The estimate of the value of the remediation and  
30 redevelopment is reasonable for projects of that nature.

31 (4) The estimate of the number of individuals who will be  
32 employed or whose employment will be retained can be  
33 reasonably expected to result from the proposed described  
34 remediation and redevelopment.

35 (5) The estimate of the annual salaries of those individuals who  
36 will be employed or whose employment will be retained can be  
37 reasonably expected to result from the proposed described  
38 remediation and redevelopment.

39 (6) Any other benefits about which information was requested are  
40 benefits that can be reasonably expected to result from the  
41 proposed described remediation and redevelopment.

42 (7) The totality of benefits is sufficient to justify the deduction."

43 Page 141, between lines 9 and 10, begin a new paragraph and insert:  
44 "SECTION 137. IC 6-1.1-47 IS ADDED TO THE INDIANA  
45 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
46 [EFFECTIVE JULY 1, 2006]:

47 **Chapter 47. Historic Rehabilitation Property Tax Credit**

1       **Sec. 1. The definitions in IC 6-3.1-16 and IC 6-3.1-22 apply**  
 2 **throughout this section.**

3       **Sec. 2. (a) A county fiscal body may adopt an ordinance to**  
 4 **authorize the application of the credit under this chapter against an**  
 5 **owner's property tax liability that is attributable to increases in**  
 6 **assessed valuation of the owner's historic property resulting from**  
 7 **the rehabilitation of the historic property.**

8       **(b) An ordinance adopted under this section must specify the**  
 9 **first assessment date for which an increase in the assessed valuation**  
 10 **of an historic property resulting from rehabilitation becomes**  
 11 **eligible for a credit under this chapter.**

12       **Sec. 3. An ordinance adopted under section 2 of this chapter**  
 13 **authorizes the credit for:**

14       **(1) the first calendar year that the owner's property tax**  
 15 **liability is determined using an increase in the historic**  
 16 **property's assessed valuation resulting from the rehabilitation**  
 17 **of the historic property; and**

18       **(2) the four (4) succeeding calendar years during the five (5)**  
 19 **year period referred to in section 5 of this chapter.**

20       **Sec. 4. Subject to section 11 of this chapter and IC 6-1.1-12-25,**  
 21 **if:**

22       **(1) the assessed valuation of historic property is increased:**

23       **(A) as a result of rehabilitation; and**

24       **(B) as of an assessment date to which an ordinance adopted**  
 25 **under section 2 of this chapter applies; and**

26       **(2) the owner is eligible for a historic rehabilitation credit**  
 27 **under IC 6-3.1-16 or IC 6-3.1-22 against the owner's state tax**  
 28 **liability based on the rehabilitation;**

29 **the owner is entitled to a credit against the owner's property tax**  
 30 **liability attributable to the property. The amount of the credit to**  
 31 **which the owner is entitled is determined under section 5 of this**  
 32 **chapter.**

33       **Sec. 5. (a) Subject to subsection (b), the amount of the credit**  
 34 **equals one hundred percent (100%) of the owner's property tax**  
 35 **liability that is attributable to the increase in assessed valuation**  
 36 **resulting from the rehabilitation. The owner is entitled to this**  
 37 **credit annually for a five (5) year period. The first year of that**  
 38 **period is the first year that the rehabilitation results in an increase**  
 39 **in the owner's property tax liability attributable to the historic**  
 40 **property. If the rehabilitation results in increases in the property**  
 41 **tax liability attributable to the historic property in more than one**  
 42 **(1) year, each annual increase may qualify separately for the credit.**

43       **(b) If:**

44       **(1) a general reassessment of real property under IC 6-1.1-4-4**  
 45 **or an adjustment under IC 6-1.1-4-4.5 occurs within the**  
 46 **period of the credit; or**



(2) an appeal of an assessment is approved that results in a change in the assessed valuation of the historic property; the amount of the credit shall be adjusted to reflect the resulting percentage increase or decrease in the assessed valuation of the historic property and its corresponding effect on the property tax liability attributable to the historic property.

Sec. 6. The credit reduces the amount of historic rehabilitation credit to which the owner is entitled under IC 6-3.1-16-7 or IC 6-3.1-22-8.

Sec. 7. A property owner who desires to obtain the credit must file a certified credit application, on forms prescribed by the department of local government finance, with the auditor of the county in which the property is located. The application may be filed in person or by mail. If mailed, the mailing must be postmarked on or before the last day for filing. The statement must be filed during the twelve (12) months before May 11 of the year prior to the first year for which the person wishes to obtain the credit for the historic property.

Sec. 8. The application required by section 7 of this chapter must contain the following information:

- (1) The name of the property owner.
- (2) A description of the property for which a credit is claimed in sufficient detail to afford identification.
- (3) The certifications required:
  - (A) under IC 6-3.1-16-8 to obtain the credit under IC 6-3.1-16; or
  - (B) under IC 6-3.1-22-9 to obtain the credit under IC 6-3.1-22.
- (4) A description of the rehabilitation of the historic property.
- (5) Evidence of the cost of the rehabilitation of the historic property.
- (6) The assessed valuation of the improvements on the historic property before the rehabilitation.
- (7) The increase in the assessed valuation of improvements resulting from the rehabilitation.

Sec. 9. A credit application filed under section 8 of this chapter applies for the entire period under section 5 of this chapter that the owner is entitled to a credit under this chapter without a requirement for any additional application.

Sec. 10. On verification of the correctness of an application by the assessor of the township in which the property is located, the county auditor shall make the credit in the amount determined under section 5 of this chapter.

Sec. 11. If the conditions for the recapture of a credit under IC 6-3.1-16-12 or IC 6-3.1-22-13 are met, the property owner shall pay to the county treasurer for each year the credit was in effect

1 the amount of additional property taxes for which the property  
 2 owner would have been liable if the credit had not been in effect.  
 3 The county treasurer shall distribute money paid under this section  
 4 proportionately to the general fund of each taxing unit in which the  
 5 property that was subject to the credit is located based on the  
 6 property tax rates of the units.

7 **Sec. 12. The department of local government finance may adopt**  
 8 **rules under IC 4-22-2 to implement this section."**

9 Page 142, between lines 31 and 32, begin a new paragraph and  
 10 insert:

11 "SECTION 138. IC 6-3.1-16-7 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 7. (a) Subject to section  
 13 14 of this chapter **and except as provided in subsection (d)**, a  
 14 taxpayer is entitled to a credit against the taxpayer's state tax liability  
 15 in the taxable year in which the taxpayer completes the preservation or  
 16 rehabilitation of historic property and obtains the certifications required  
 17 under section 8 of this chapter.

18 (b) **Except as provided in subsection (d)**, the amount of the credit  
 19 is equal to twenty percent (20%) of the qualified expenditures that:

- 20 (1) the taxpayer makes for the preservation or rehabilitation of
- 21 historic property; and
- 22 (2) are approved by the division.

23 (c) In the case of a husband and wife who:

- 24 (1) own and rehabilitate a historic property jointly; and
- 25 (2) file separate tax returns;

26 the husband and wife may take the credit in equal shares or one (1)  
 27 spouse may take the whole credit.

28 **(d) The amount of the credit for a taxable year is reduced by the**  
 29 **amount by which the taxpayer's property tax liability is reduced**  
 30 **for taxes first due and payable in the taxable year as the result of**  
 31 **the application of the credit under IC 6-1.1-47.**

32 SECTION 139. IC 6-3.1-16-10 IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 10. To obtain a credit  
 34 under this chapter, a taxpayer must claim the credit on the taxpayer's  
 35 annual state tax return or returns in the manner prescribed by the  
 36 department of state revenue. The taxpayer shall submit to the  
 37 department of state revenue:

- 38 (1) the certifications by the division required under section 8 of
- 39 this chapter;
- 40 (2) **a statement whether the taxpayer claimed a property tax**  
 41 **credit based on the rehabilitation under IC 6-1.1-47 that**  
 42 **resulted in a reduction of the taxpayer's liability for property**  
 43 **taxes first due and payable in the taxable year for which the**  
 44 **credit is claimed;**
- 45 (3) **if the taxpayer's property tax liability was reduced as**  
 46 **described in subdivision (2), the amount of the reduction for**  
 47 **property taxes first due and payable in the taxable year for**

1           **which the credit is claimed; and**

2           **(4) all other** information that the department of state revenue  
3           determines is necessary for the calculation of the credit provided  
4           by this chapter.

5           SECTION 140. IC 6-3.1-22-8 IS AMENDED TO READ AS  
6           FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. (a) Subject to section  
7           14 of this chapter **and except as provided in subsection (d)**, a  
8           taxpayer is entitled to a credit against the taxpayer's state tax liability  
9           in the taxable year in which the taxpayer completes the preservation or  
10          rehabilitation of historic property and obtains the certifications required  
11          under section 9 of this chapter.

12          (b) The amount of the credit is equal to twenty percent (20%) of the  
13          qualified expenditures that:

14               (1) the taxpayer makes for the preservation or rehabilitation of  
15               historic property; and  
16               (2) are approved by the division.

17          (c) In the case of a husband and wife who:

18               (1) own and rehabilitate a historic property jointly; and  
19               (2) file separate tax returns;

20          the husband and wife may take the credit in equal shares or one (1)  
21          spouse may take the whole credit.

22          **(d) The amount of the credit for a taxable year is reduced by the**  
23          **amount by which the taxpayer's property tax liability is reduced**  
24          **for taxes first due and payable in the taxable year as the result of**  
25          **the application of the credit under IC 6-1.1-47.**

26          SECTION 141. IC 6-3.1-22-11 IS AMENDED TO READ AS  
27          FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 11. To obtain a credit  
28          under this chapter, a taxpayer must claim the credit on the taxpayer's  
29          annual state tax return or returns in the manner prescribed by the  
30          department of state revenue. The taxpayer shall submit to the  
31          department of state revenue:

32               (1) the certifications by the division required under section 9 of  
33               this chapter;

34               **(2) a statement whether the taxpayer claimed a property tax**  
35               **credit based on the rehabilitation under IC 6-1.1-47 that**  
36               **resulted in a reduction of the taxpayer's liability for property**  
37               **taxes first due and payable in the taxable year for which the**  
38               **credit is claimed;**

39               **(3) if the taxpayer's property tax liability was reduced as**  
40               **described in subdivision (2), the amount of the reduction for**  
41               **property taxes first due and payable in the taxable year for**  
42               **which the credit is claimed; and**

43               **(4) all other** information that the department of state revenue  
44               determines is necessary for the calculation of the credit provided  
45               by this chapter."

46          Page 261, between lines 20 and 21, begin a new paragraph and  
47          insert:

1       "SECTION 291. [EFFECTIVE JULY 1, 2006] (a) IC 6-1.1-47, as  
 2       added by this act, and IC 6-1.1-12-18, IC 6-1.1-12-22, and  
 3       IC 6-1.1-12-25, all as amended by this act, apply only to property  
 4       taxes first due and payable after December 31, 2006.

5       (b) The credit under IC 6-1.1-47, as added by this act, applies  
 6       regardless of whether the rehabilitation for which the deduction is  
 7       claimed occurred before July 1, 2006.

8       SECTION 292. [EFFECTIVE UPON PASSAGE] (a) As used in  
 9       this SECTION:

10       (1) "assessment date" has the meaning set forth in  
 11       IC 6-1.1-1-2; and

12       (2) "rehabilitation" has the meaning set forth in:

13           (A) IC 6-1.1-12-18(b), as amended by this act; and

14           (B) IC 6-1.1-12-22(c), as amended by this act.

15       (b) For property taxes first due and payable after December 31,  
 16       2006, a property owner may file an application before July 1, 2006,  
 17       for a deduction:

18       (1) under:

19           (A) IC 6-1.1-12-19(b)(2), as amended by this act; or

20           (B) IC 6-1.1-12-23(b)(2), as amended by this act; or

21       (2) first applicable to the assessment date in 2006 under:

22           (A) IC 6-1.1-12-20, as amended by this act; or

23           (B) IC 6-1.1-12-24, as amended by this act;

24       based on rehabilitation completed after March 1, 2005, and before  
 25       March 2, 2006.

26       (c) This SECTION expires January 1, 2007.

27       SECTION 293. [EFFECTIVE UPON PASSAGE] (a) As used in  
 28       this SECTION:

29       (1) "assessment date" has the meaning set forth in  
 30       IC 6-1.1-1-2; and

31       (2) "rehabilitation" has the meaning set forth in IC 6-3.1-22-5.

32       (b) For property taxes first due and payable after December 31,  
 33       2006, a property owner may file an application before July 1, 2006,  
 34       for a credit under IC 6-1.1-47, as added by this act, first applicable  
 35       to the assessment date in 2006 based on rehabilitation completed  
 36       after March 1, 2005, and before March 2, 2006.

37       (c) This SECTION expires January 1, 2007."

38       Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed January 18, 2006.)

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Representative Orentlicher